

MINUTES
EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, May 24, 2011

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members Larry Balow, David Duax, Kerry Kincaid, David Klinkhammer, Kathy Mitchell, Mark Olson, Jackie Pavelski, Bob Von Haden, Thomas Vue, and Dana Wachs. Absent: Council Member Andrew Werthmann.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, May 24, 2011. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Vue "to adopt the consent resolution". Said motion passed by unanimous vote.

COMMENDATIONS AND PROCLAMATIONS

Council President Kincaid, on behalf of the City Council, proclaimed June 6 – 11, 2011 as Bike to Work Week and Friday, June 10, 2011 as Bike to Work Day in the City of Eau Claire.

Council President Kincaid, on behalf of the City Council, proclaimed Bruce Taylor, U.W. - Eau Claire Professor Emeritus of English, to be Poet Laureate of the City of Eau Claire.

Council President Kincaid, on behalf of the City Council and city staff, accepted an award from the American Council of Engineering Companies for the City's work on the Phase I Improvements to the Wastewater Treatment Facility.

LIQUOR LICENSE

The City Council considered a resolution granting a temporary expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Eau Claire Fire House, LLC, d/b/a The Fire House, 202 Gibson St., to include a fenced-in area for the Fire House Backyard Bash event, on June 4, 2011. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Von Haden "to adopt said resolution". Said motion passed by unanimous vote.

CDBG & HOME

The Council considered a resolution approving the 2011 Community Development Block Grant (CDBG) and HOME Grant Funding appropriations and amendments. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Klinkhammer "to adopt said resolution". Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Wachs "to change the allocation to the Eau Claire Regional Arts Center

from the roofing project to the boiler replacement project, per the Arts Center request”. Said change was accepted as a friendly amendment. The Council then voted on the resolution as amended. Said motion passed by unanimous vote.

GRANT ACCEPTANCE

The Council considered a resolution authorizing the Police Department to accept a Multi-Assault, Counter Terrorism Action Capabilities (MAC-TAC) Grant funded by the Office of Justice Assistance. Thereupon a motion was offered by Council Member Olson and seconded by Council Member Mitchell “to adopt said resolution”. Said motion passed by unanimous vote.

INTERGOVERNMENTAL AGREEMENTS

The City Council considered a resolution approving an inter-agency agreement for the acquisition and implementation of the replacement IBM iSeries server system and appropriating participants’ shares of the project. Thereupon a motion was offered by Council Member Wachs and seconded by Council Member Balow “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution approving a Data Center Co-location Intergovernmental Cooperative Agreement with Chippewa County. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Pavelski “to adopt said resolution”. Said motion passed by unanimous vote.

HOBBS ICE CENTER FEES

The Council considered a resolution approving the recommended 2011-2012 ice rental fees for Hobbs Municipal Ice Center. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

COMMUNITY GARDENS

The Council considered a resolution approving a request from the Community Gardeners to build community gardens at Fairfax Park. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Olson “to adopt said resolution, approving the request contingent upon approval by the Waterways & Parks Commission at their meeting on May 25, 2011”. Said motion passed by unanimous vote.

WASTEWATER TREATMENT PLANT REPORT

The City Council considered a resolution indicating receipt and review of the 2010 Compliance Maintenance Annual Report (CMAR) for the Wastewater Treatment Plant and Collection System. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Wachs “to adopt said resolution”. Said motion passed by unanimous vote.

FENWICK AVENUE UNDERPASS

The Council considered a resolution amending Resolution No. 2011-207 to construct an underpass on Hastings Way at Fenwick Avenue. Thereupon a motion was offered by Council Member Wachs and seconded by Council Member Klinkhammer “to adopt said resolution with the following costs listed: \$532,136 for construction; \$250,000 for land acquisition and related costs on the east side of Hastings Way (Eau Claire Consumer Cooperative Association/Mega); \$231,400 for land acquisition and related costs on the west side of Hastings Way (Regis Catholic Schools”. Said motion failed on the following tie vote: Aye: Council Members Kincaid, Klinkhammer, Mitchell, Pavelski and Wachs. Nay: Council Members Balow, Duax, Olson, Von Haden and Vue.

STREET PROJECTS

The City Council considered a resolution amending Final Resolution No. 2010-77 approving the improvement project on Bellevue Avenue, Bergen Avenue to Starr Avenue (10-200), and on Wagner Avenue, Starr Avenue to 500 feet northeast (10-215). Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Olson “to adopt said resolution”. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Von Haden “to amend said resolution by adding the following two paragraphs: (12) The Public Works Department is directed to investigate and report back to the City Council no later than the dates noted on the following:

- (a) By July 1, 2011, regarding the use of stop signs, or the possible use of a speed “hump” or table top”, at the intersection of Bellevue Avenue, Starr Avenue and Wagner Avenue.
 - (b) By November 1, 2011, regarding the addition or removal of stop signs on McDonough, Bellevue, and Putnam Streets so as to facilitate truck ingress and egress to the business area on Bellevue Avenue.
- (13) Following the completion of the project, the Public Works Department is directed to report back to the City Council by February 1, 2012, or earlier, on the recommended transfer of excess city right of way to the property owners along Bellevue and Wager Avenues, so as to correct some of the non-conforming lots thereon.”

Said motion to amend passed by the following vote: Aye: Council Members Balow, Duax, Mitchell, Von Haden, Vue and Wachs. Nay: Council Members Kincaid, Klinkhammer, Olson and Pavelski. The Council then voted on the resolution as amended. Said motion passed by unanimous vote.

Council Member Klinkhammer left the Council Chamber.

COMMITTEE APPOINTMENTS

The Council considered a resolution appointing Council Members to various Boards, Committees and Commissions. Council Member Mitchell agreed to fill the vacant council positions on the Affirmative Action Committee, Housing Authority, Landmarks Commission, and Putnam Parks Commission. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Duax “to adopt said resolution appointing Council Member Mitchell to said committees”. Said motion passed by unanimous vote.

Council Member Klinkhammer returned to the Council Chamber.

BUDGET COMMENTS

The City Council considered a resolution forwarding comments to the Governor, Joint Finance Committee members and area Legislators regarding the proposed Wisconsin 2012-2013 biennial budget. The Council had postponed consideration of this item at its April 26, 2011 meeting. Thereupon a motion was offered by Council Member Olson and seconded by Council Member Duax "to adopt said resolution". Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Balow "to amend the resolution by adding a paragraph requesting the restoration of funding for the Recycling Grant Program." Said motion to amend was adopted by unanimous vote. The Council then voted on the resolution as amended. Said resolution was adopted by the following vote: Aye: Council Members Balow, Duax, Klinkhammer, Mitchell, Olson, Pavelski, Von Haden, Vue and Wachs. Nay: Council Member Kincaid.

ZONING

The Council considered an ordinance rezoning property on the west side of Fairfax Street, east of S. Hastings Way, south of Highland Avenue, from C-3 to C-3P to allow reduced setbacks with the General Development Plan for a new grocery store, as shown on Planning File #Z-1484-11. Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Wachs "to adopt said ordinance". Said motion passed by unanimous vote.

SIGN CODE

The City Council considered an ordinance amending the Sign Code pertaining to signs for temporary commercial attractions, as shown on Planning File #Z-1485-11. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Vue "to adopt said ordinance". Said motion passed by unanimous vote.

ANNEXATION

The Council had first reading on an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 15th Assessment Ward, 2nd Aldermanic District, that part of Lot 5, Block 3, Kings Addition, Town of Washington, located in the SE ¼ - NE ¼ of Section 32-27-9, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 11-03A (Norrish petition, 3560 Halsey Street).

ZONING

The Council had first reading on an ordinance rezoning property at 3108 33rd Street from R-1A to R-1, as shown on Planning File #Z-1486-11.

STREET NAMES

The City Council had first reading on an ordinance naming certain roads within Carson Park as “Half Moon Drive” and “Pavilion Drive”.

The Council had first reading on an ordinance changing the name of Harvest Court to Mondovi Road, from Craig Road to 400 feet east.

ADJOURNMENT

A motion was offered by Council Member Mitchell and seconded by Council Member Wachs “that this meeting does now adjourn.” Said motion passed by unanimous voice vote.

Adjournment: May 24, 2011

Time: 6:42 p.m.

Kerry J. S. Kincaid, President

ATTEST:

Donna A. Austad, City Clerk